

Rejections Under 35 U.S.C. § 102

Claims 1-4, 6-12, 14-16, and 19-21 stand rejected for anticipation by U.S. Patent No. 5,733,193 to Allard et al. (hereinafter "Allard"). Claims 1-3 and 6 stand rejected for anticipation by U.S. Patent No. 4,941,660 to Winn et al. (hereinafter "Winn"). In view of the above amendments and the following remarks, reconsideration of these rejections is respectfully requested.

Independent claim 1, as amended, is directed to a method of relieving computer-related stress caused by the operation of a computer system. The method includes connecting a stress relief device to a computer monitor, the stress relief device comprising a support and a contact element connected to the support. The method further includes operating the computer system and striking or squeezing the contact element to relieve stress caused by the operation of the computer system.

Allard is directed to a boxing arcade game allowing a player to strike or hit an object to score points or achieve a goal during the game (Allard at column 1, lines 6-9). In the Allard arcade game, a player repeatedly strikes a punching bag 34 to cause the bag to swing and impact a platform 42. The impacts are counted and a player's score is determined by the number of times the bag contacts the platform (Allard at column 4, lines 27-33 and 54-67). The front panel section 12 of the Allard device includes a coin deposit slot 18 for a player to insert coins, and a ticket dispenser 22 to award the player tickets based on the final score of the game. The bag 34 is suspended from an adjustable frame to accommodate players of different height and is lowered to a playing position during a game and retracted when a game is over so that the punching bag may not be used between games (Allard at the Abstract). In one embodiment, the Allard device includes a display screen for displaying the visual image of an opponent that can be updated in accordance with the strikes from the player on the punching bag (Allard at the Abstract).

Winn is directed to an impact and speed measuring system for a conventional punching bag 10. The bag 10 includes an inner bag 40 filled with water. A transducer 46 is attached to the bag 10 and sends a signal to a computer 60 indicating the force of a blow on the bag.

Neither Allard nor Winn is directed to a method of relieving computer-related stress caused by the operation of a computer system. As clearly stated in Allard, the Allard boxing game is directed to the field of arcades or gaming environments. Additionally, Allard does not teach playing the Allard game to relieve stress caused by the Allard device. Rather,

the Allard device is simply a boxing arcade game in which a punching bag is used to generate a score in exchange for a player paying money to play the game (Allard at column 3, lines 14-16). The Winn device is used to analyze and measure a fighter's individual force on a target so that the fighter feels familiar and comfortable with each hit. The system can determine the point at which a fighter's punching or kicking muscle groups undergo initial fatigue and subsequent tightening (Winn at the Abstract). Again, Winn does not teach or suggest a method of relieving computer-related stress caused by the operation of a computer system. Rather, the Winn device is simply a device to help train boxers more effectively. Therefore, claim 1, as amended, is not anticipated by Allard or Winn.

Claims 2-5 depend from, and add further limitations to, claim 1. Since these claims depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance. Reconsideration of the rejections of claims 2-4 is respectfully requested.

Independent claim 6, as amended, is directed to a method of relieving workplace stress comprising the steps of mounting a stress relief device at a workplace operator's station. The stress relief device comprises a support and a contact element movably mounted on a support. The method includes contacting the contact element to relieve workplace stress. The mounting step includes attaching the device to at least one of a desktop computer monitor, a laptop computer, a vehicle dashboard, a work cubicle, or a desk.

As described above, neither the Allard arcade game nor the Winn boxing training device teaches or suggests mounting the devices on a desktop computer monitor, a laptop computer, a vehicle dashboard, a work cubicle, or a desk. Therefore, claim 6 is not anticipated by Allard or Winn.

Claims 7-10 depend from, and add further limitations to, claim 6. Since these claims depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance. Additionally, claim 7 includes the limitation of removably mounting the stress relief device on or adjacent a desktop computer monitor. This limitation is neither taught nor suggested in either Allard or Winn. Therefore, for all of the above reasons, claims 7-10 are believed to be in condition for allowance.

Independent claim 11, as amended, is directed to an interactive computer-related stress relief device configured to be mounted on a desktop computer monitor of a computer system to relieve computer-related stress of the computer operator. The device comprises a support connectable with the desktop computer monitor and a contact element connected to the support.

As discussed above, neither Winn nor Allard teaches or suggests mounting their devices on a conventional desktop computer monitor. Therefore, independent claim 11 is not anticipated by Allard.

Claims 12-16 depend from, and add further limitations to, claim 11. Since claims 12-16 depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance.

Independent claim 19, as amended, is directed to a computer-related stress relief device configured to be mounted on a desktop computer monitor to relieve operator stress due to operation of the computer system. The device comprises a support having a connector that is releasably engageable with the computer monitor. A punching bag contact element is movably mounted on the support and is spaced from the connector. The connector element includes a sound-producing device. The contact element is configured to be contacted by a computer operator to relief stress caused by operation of the computer system.

As discussed in detail above, Allard neither teaches nor suggests mounting the Allard device on a desktop computer monitor. Therefore, claim 11, as amended, is not anticipated by Allard.

Independent claim 20, as amended, is directed to a workplace computer system comprising a computer monitor and a support having a first end and a second end. A connector is located at or near the first end and is connectable with the computer monitor. A punching bag contact element is movably connected to the support at or near the second end. The contact element is configured to be contacted by an operator of the workplace computer system to relieve workplace stress caused by operation of the computer system.

For substantially the same reasons as discussed above, Allard neither teaches nor suggests mounting the Allard device on a workplace computer monitor. Therefore, claim 20 is not anticipated by Allard.

Claim 21 depends from claim 20 and is believed allowable for substantially the same reasons as discussed above with respect to claim 20.

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Claim 5 stands rejected for obviousness over the teachings of Winn in view of the teachings of Allard. Claims 13 and 17 stand rejected for obviousness over the teachings of Allard in view of the teachings of U.S. Patent No. 4,216,957 to Curatola. Claim 18 stands rejected for obviousness over the teachings of Allard in view of the teachings of U.S. Patent

No. 6,234,940 B1 to Fotsis. In view of the above amendments and the following remarks, reconsideration of these rejections is respectfully requested.

Winn and Allard have been discussed above. Curatola discloses a support structure for a conventional heavy punching bag 37. The support structure includes a mounting device 36 which can be used to mount a heavy punching bag 37 or a speed punching bag 38.

Fotsis discloses a martial arts or boxing training bag that simulates the impact response of a human body when struck by a punch or kick. The Fotsis device includes an outer covering material 34 depicted with imprinted indicia 36 (such as graphical designs, symbols, logos, or words).

However, claim 5 depends from claim 1 and claims 13, 17, and 18 depend from claim 11. Neither Curatola nor Fotsis, either alone or in combination with Allard and/or Winn, fairly teaches or suggests the limitations as set forth in amended independent claims 1 and 11. Therefore, since claims 1, 13, 17, and 18 depend from claims believed to be in condition for allowance, these claims are also believed to be in condition for allowance.

New Claims 22 and 23

Claims 22 and 23 depend from, and add further limitations to, claim 1. Claim 22 includes the limitation that the operating step includes word processing and claim 23 includes the limitation that the computer monitor is a desktop computer monitor. Applicant does not believe these limitations are fairly taught or suggested in any of the cited references or in the combinations thereof.

Request for Examiner Interview

Applicant has forwarded a prototype of the claimed invention to the Examiner and requests that the Examiner grant Applicant's representative either a personal or telephone interview to discuss the prototype and the cited references prior to the Examiner issuing an Office Action in response to this Amendment.

Conclusion

In view of the above amendments and remarks, Applicant believes claims 1-21, as amended, and newly added claims 22 and 23 are patentable over the cited prior art and are in condition for allowance. Reconsideration of the rejections of claims 1-21 and allowance of all of claims 1-23 are respectfully requested.

Respectfully submitted,

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Marked-Up Version of the Claims

1. (Twice Amended) A method of relieving computer-related [workplace] stress [for the operator] caused by the operation of a [workplace] computer system, comprising the steps of:

connecting a stress relief device to a computer monitor [component of a workstation computer system], the stress relief device comprising a support and a contact element connected to the support; [and]

operating the computer system; and

striking or squeezing the contact element to relieve [workplace] stress caused by operation of the computer system.

6. (Twice Amended) A method of relieving workplace stress, comprising the steps of:

mounting a stress relief device at a workplace operator station, the stress relief device comprising a support and a contact element movably mounted on the support; and

contacting the contact element to relieve workplace stress,

wherein the mounting step includes attaching the device to at least one of a desktop computer monitor, a laptop computer, a vehicle dashboard, a work cubicle, and a desk.

7. (Amended) The method of claim 6, wherein the mounting step includes removably mounting the stress relief device on or adjacent a desktop computer monitor at the operator station.

11. (Twice Amended) An interactive computer-related stress relief device configured to be mounted on a desktop computer [component] monitor of a [workplace] computer system to relieve computer-related [workplace] stress of the computer operator, the device comprising:

a support connectable with the [workplace] desktop computer [component] monitor; and

a contact element connected to the support.

19. (Twice Amended) A computer-related stress relief device configured to be mounted on a desktop computer monitor [component at an operator station of a workplace computer system] to relieve operator stress due to operation of the [workplace] computer system, the device comprising:

a support having a connector that is releasably engageable with the computer [component] monitor; and

a punching bag contact element movably mounted on the support and spaced from the connector, the contact element including a sound-producing device [and display indicia], the contact element configured to be contacted by a computer operator to relieve stress caused by operation of the [workplace] computer system.

20. (Twice Amended) A workplace computer system, comprising:

a [workstation having a] computer monitor [component];

a support having a first end and a second end, with a connector located at or near the first end and connectable with the computer [component] monitor; and

a punching bag contact element movably connected to the support at or near the second end, the contact element configured to be contacted by an operator of the workplace computer system to relieve workplace stress caused by operation of the computer system.